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Attorneys for Defendant and Counter-claimant  
COOLIT SYSTEMS, INC. and Defendants  
CORSAIR GAMING, INC. and CORSAIR  
MEMORY, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ASETEK DANMARK A/S,  
  
Plaintiff and  
Counter-defendant,  
  
v.

COOLIT SYSTEMS, INC.,  
  
Defendant and  
Counter-claimant,  
  
CORSAIR GAMING, INC. and CORSAIR  
MEMORY, INC.,  
  
Defendants.

Case No. 3:19-cv-00410-EMC

**DECLARATION OF REUBEN H. CHEN IN  
SUPPORT OF DEFENDANTS' NOTICE OF  
MOTION AND MOTION FOR SUMMARY  
JUDGMENT**

Date: May 5, 2022  
Time: 1:30 pm  
Location: COURTROOM 5, 17TH FLOOR  
Judge: Hon. Edward M. Chen

1 I, Reuben H. Chen, do hereby declare as follows:

2 1. I am an attorney licensed to practice before this Court and all courts of the State of  
3 California, and am a partner with Cooley LLP, counsel for Defendant and Counter-claimant CoolIT  
4 Systems, Inc. (“CoolIT”), Defendant Corsair Gaming, Inc., and Defendant Corsair Memory, Inc.  
5 (collectively, “Defendants”) in the above-entitled action. I submit this declaration in support of  
6 Defendants’ Notice of Motion and Motion for Summary Judgment. The matters stated herein are  
7 based upon my personal knowledge, and if called as a witness, I would testify as to the following  
8 statements.

9 2. Attached hereto as **Exhibit 1** is a true and correct copy of email between Joel Dion to  
10 Robert McCauley, sent on September 11, 2014, with attachment.

11 3. Attached hereto as **Exhibit 2** is a true and correct copy of a Reply to Office Action,  
12 dated December 18, 2008.

13 4. Attached hereto as **Exhibit 3** is a true and correct copy of the Rebuttal Report of Dr.  
14 John P. Abraham Regarding Infringement of Asetek Danmark A/S’s Asserted Patent Claims, served  
15 December 8, 2021.

16 5. Attached hereto as **Exhibit 4** is a true and correct copy of USPTO’s Office Action,  
17 Final Rejection, mailed March 20, 2009.

18 6. Attached hereto as **Exhibit 5** is a true and correct copy of a Reply to Office Action,  
19 dated April 4, 2011.

20 7. Attached hereto as **Exhibit 6** is a true and correct copy of USPTO’s Notice of  
21 Allowance and Fee(s) Due, mailed April 8, 2011.

22 8 Attached hereto as **Exhibit 7** is a true and correct copy of the Expert Report of Dr.  
23 David B. Tuckerman Regarding Infringement of U.S. Patent Nos. 8,240,362; 10,613,601; and  
24 10,599,196, served November 3, 2021.

25 9. Attached hereto as **Exhibit 8** is a true and correct copy of excerpts of the Expert Report  
26 of Dr. David B. Tuckerman Regarding Validity of U.S. Patent Nos. 8,240,362; 10,613,601; and  
27 10,599,196, served December 8, 2021.

28

1           10. Attached hereto as **Exhibit 9** is a true and correct copy of excerpts of the Initial Expert  
2 Report of Dr. David B. Tuckerman Regarding Invalidity of U.S. Patent Nos. 8,743,330; 9,603,284;  
3 and 10,274,266, November 3, 2021.

4           11. Attached hereto as **Exhibit 9-A** is a true and correct copy of Exhibit A to Dr.  
5 Tuckerman's Invalidity Report, served November 3, 2021.

6           12. Attached hereto as **Exhibit 9-B** is a true and correct copy of Exhibit B to Dr.  
7 Tuckerman's Invalidity Report, served November 3, 2021.

8           13. Attached hereto as **Exhibit 9-C** is a true and correct copy of Exhibit C to Dr.  
9 Tuckerman's Invalidity Report, served November 3, 2021.

10           14. Attached hereto as **Exhibit 10** is a true and correct copy of excerpts of the deposition  
11 transcript of Andre Eriksen, conducted on August 24, 2021. Relevant portions of the deposition  
12 transcript have been highlighted for the convenience of the court.

13           15. Attached hereto as **Exhibit 11** is a true and correct copy of excerpts of the Expert  
14 Reports of Himanshu Pokharna, Ph.D. in Response to Dr. Tuckerman's Report on Invalidity of U.S.  
15 Patent Nos. 8,743,330; 9,603,284; and 10,274,266, served December 8, 2021.

16           16. Attached hereto as **Exhibit 12** is a true and correct copy of Asetek's Sales Data Sheet  
17 bearing Bates number ASE-CLT00045045.

18           17. Attached hereto as **Exhibit 13** is a true and correct copy of excerpts of the deposition  
19 transcript of Dr. David B. Tuckerman, conducted on March 18, 2022. Relevant portions of the  
20 deposition transcript have been highlighted for the convenience of the court.

21           18. Attached hereto as **Exhibit 14** is a true and correct copy of excerpts of the deposition  
22 transcript of Dr. David B. Tuckerman, conducted on December 30, 2021. Relevant portions of the  
23 deposition transcript have been highlighted for the convenience of the court.

24           19. Attached hereto as **Exhibit 15** is a true and correct copy of the Initial Expert Report of  
25 Dr. Carl-Fredrik Stein Regarding Pump Impeller Designs And Performances, served November 3,  
26 2021.

27           20. Attached hereto as **Exhibit 16** is a true and correct copy of excerpts of the deposition  
28 transcript of Dr. Carl-Fredrik Stein, conducted on January 11, 2022. Relevant portions of the

1 deposition transcript have been highlighted for the convenience of the court.

2 21. Attached hereto as **Exhibit 17** is a true and correct copy of excerpts of 2014 trial  
3 transcript for Asetek Danmark A/S v. CMI USA, Inc., fka Cooler Master USA, Inc., No. 13-cv-00457-  
4 JST (N.D. Cal.). Relevant portions of the transcript have been highlighted for the convenience of the  
5 court.

6 22. Attached hereto as **Exhibit 18** is a true and correct copy of Judge John S. Tigar's April  
7 21, 2015 Findings of Fact and Conclusions of Law in Asetek Danmark A/S v. CMI USA, Inc., fka  
8 Cooler Master USA, Inc., No. 13-cv-00457-JST (N.D. Cal.).

9 23. Attached hereto as **Exhibit 19** is a true and correct copy of the Claim Construction  
10 Order in Asia Vital Components Co., Ltd. v. Asetek Danmark A/S. No. 16-cv-7160-JST (N.D. Cal.),  
11 dated January 17, 2018.

12 24. Attached hereto as **Exhibit 20** is a true and correct copy of Korean Utility Model No.  
13 20-0314041, application date February 25, 2003, bearing Bates numbers COOLIT0004768-785.

14 25. Attached hereto as **Exhibit 21** is a true and correct copy of the Final Verdict Form in  
15 Asetek Danmark A/S v. CMI USA, Inc., fka Cooler Master USA, Inc., No. 13-cv-00457-JST (N.D.  
16 Cal.).

17 26. Attached hereto as **Exhibit 22** is a true and correct copy of Asetek's Revised Proposed  
18 Verdict Form in Asetek Danmark A/S v. CMI USA, Inc., fka Cooler Master USA, Inc., No. 13-cv-  
19 00457-JST (N.D. Cal.).

20 27. Attached hereto as **Exhibit 23** is a true and correct copy of the hearing transcript in  
21 *Asetek Danmark A/S v. CoolIT Systems, Inc.*, No. C 19-00410 EMC (N.D. Cal.). Relevant portions of  
22 the transcript have been highlighted for the convenience of the court.

23 28. Attached hereto as **Exhibit 24** is a true and correct copy of excerpts of the deposition  
24 transcript of Dr. David B. Tuckerman, conducted on December 20, 2021. Relevant portions of the  
25 deposition transcript have been highlighted for the convenience of the court.

26 29. Attached hereto as **Exhibit 25** is a true and correct copy of excerpts of the deposition  
27 transcript of Dr. David B. Tuckerman, conducted on December 22, 2021. Relevant portions of the  
28 deposition transcript have been highlighted for the convenience of the court.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

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/s/ *Reuben H. Chen*  
 Reuben H. Chen